

B' 26. (Amended) A bacterial strain transformed with a recombinant vector [comprising exogenous DNA] of claim 25.

B 2 32. (Amended) A transgenic microorganism or plant, comprising a microorganism or plant wherein a cell of said microorganism or plant is transformed with a vector [an exogenous DNA sequence] of claim [1] 48.

B 33. A transgenic plant containing a recombinant gene [wherein the exogenous DNA is a vector] of claim [25] 45.

Claim 42, line 3: Delete "cell" and insert --transgenic plant--.

NP Claim 44, line 2: Delete "monoamine oxygenase," and insert --monooxygenase,--.

Please add the following new claims:

B 3 1 45. A recombinant gene, comprising a DNA sequence encoding a polypeptide having the biological activity of 2,4-D monooxygenase which is capable of being expressed in a plant, operably linked to a heterologous promoter capable of promoting the expression in a plant of a structural gene operably linked thereto.

B 4 46. A recombinant gene of claim 45, wherein the DNA sequence is the structural gene sequence of Figure 10, except that the initiation codon is ATG, a DNA sequence differing therefrom by codon degeneracy, or a DNA sequence hybridizable therewith.

~~6~~ 47. A recombinant gene of claim ~~45~~², wherein the structural gene sequence is derived from Alcaligenes eutrophus JMP134 plasmid pJP4, DSM 3840.

~~8~~ 48. A recombinant vector comprising a recombinant gene of claim ~~45~~¹.

~~5~~ 49. A recombinant vector comprising a recombinant gene of claim ~~46~~⁴.

~~7~~ 50. A recombinant vector comprising a recombinant gene of claim ~~47~~¹.

~~3~~ 51. A transgenic plant of claim ~~33~~², wherein the exogenous DNA sequence encoding a polypeptide having the biological activity of 2,4-D monooxygenase which is capable of being expressed in a plant is operably incorporated into the genome of the host plant cell.

~~15~~ 52. A method of claim ~~42~~¹⁴, whereby the plant is protected against growth inhibition caused by treatment of the plant with a substituted phenoxyacetic acid.

~~16~~ 53. A method of claim ~~52~~¹⁵, wherein the substituted phenoxyacetic acid is 2,4-dichlorophenoxyacetic acid, 4-chlorophenoxyacetic acid or (2-methyl-4-chlorophenoxy)acetic acid.

R E M A R K S

In response to the Restriction Requirement, Applicants hereby confirm the provisional election of Group I, with traverse. First of all, Applicants assert that a search for monooxygenase genes, restricted to Group I, would necessarily overlap with a search for mutants of such genes, restricted to Group II. Furthermore, searches for each of the four groups